

23 Rec'd PCT/PTO

31 JUL 1998

FORM PTO-1390  
(REV 5-93)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.  
P564-8013

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

DATE: 09/11/98

U.S. APPLN. NO.  
(IF KNOWN, SEE 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.  
PCT/EP97/00432

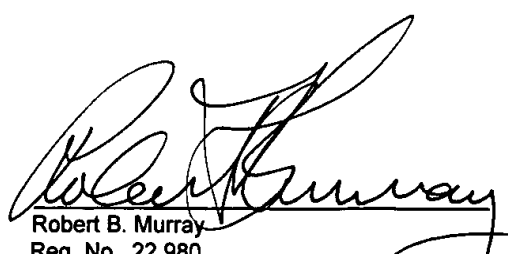
INTERNATIONAL FILING DATE  
31 JANUARY 1997

PRIORITY DATE CLAIMED  
1 FEBRUARY 1996

TITLE OF INVENTION: RECOMBINANT EXPRESSION OF S-LAYER PROTEINS

APPLICANT(S) FOR DO/EO/US: Werner LUBITZ, Uwe SLEYTR, Beatrix KUEN, Michaela TRUPPE, Stefan HOWORKA, Stepanka RESCH, Gerhard SCHROLL, Margit SARA

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.  
(THE BASIC FILING FEE IS ATTACHED)
  2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
  3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT articles 22 and 39(1).
  4. ☒ A proper demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
  5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☐ has been transmitted by the International Bureau.
    - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
  6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
  7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
    - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☐ have been transmitted by the International Bureau.
    - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    - d. ☐ have not been made and will not be made.
  8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
  9. ☒ An oath or declaration of the inventor Uwe Sleyter (35 U.S.C. 371(c)(4)).
  10. ☒ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11. to 16. below concern other document(s) or information included:
11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
  13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
  14. ☐ A substitute specification.
  15. ☐ A change of power of attorney and/or address letter.
  16. ☒ Other items or information: Small Entity Declaration, PCT/IP/338, PCT/IPEA/409, PCT/IPEA/416, PCT/ISA/210  
CHECK NO. 17159  
Drawings - 3 sheets

U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.50)		INTERNATIONAL APPLICATION NO. PCT/EP97/00432		ATTORNEY DOCKET NO. P564-8013 DATE: July 31, 1998					
17. <u>XX</u> The following fees are submitted: <b>Basic National Fee (37 CFR 1.492(a)(1)-(5):</b> Search Report has been prepared by the EPO or JPO.....\$930.00 International preliminary examination fee paid to USPTO (37 CFR 1.482)....\$720.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$790.00 Neither international preliminary examination fee (37 CFR 1.482) or international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$1,070.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) .....\$ 98.00				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">CALCULATIONS</td> <td style="width: 50%;">PTO USE ONLY</td> </tr> <tr> <td colspan="2" style="height: 100px;"></td> </tr> </table>		CALCULATIONS	PTO USE ONLY		
CALCULATIONS	PTO USE ONLY								
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$930					
Surcharge of \$130.00 for furnishing the oath or declaration later than _ 20 _ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$00					
Claims	Number Filed	Number Extra	Rate						
Total Claims	- 20 =		X \$ 22.00	\$00					
Independent Claims	- 3 =		X \$ 82.00	\$00					
Multiple dependent claim(s) (if applicable)			+ \$270.00	\$00					
TOTAL OF ABOVE CALCULATIONS =				\$930					
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$465					
SUBTOTAL =				\$465					
Processing fee of \$130.00 for furnishing the English translation later the _ 20 _ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$00					
TOTAL NATIONAL FEE =				\$465					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$00					
TOTAL FEES ENCLOSED =				\$465					
				Amount to be refunded	\$				
				Charged	\$				
a. <u>XX</u> A check in the amount of \$465 to cover the above fees is enclosed. b. _ Please charge my Deposit Account No. <u>14-1060</u> in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <u>XX</u> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>14-1060</u> .									
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>									
SEND ALL CORRESPONDENCE TO:  NIKAIDO, MARMELESTEIN, MURRAY AND ORAM Metropolitan Square 655 15th Street, N.W. Suite 330 - G Street Lobby Washington, D.C. 20005-5701 Telephone No. (202) 638-5000									
				 Robert B. Murray Reg. No. 22,980					